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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,295	06/13/2001	Charles Michael Pickett	8371-138	6771
46404	7590	10/20/2005	EXAMINER	
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			KE, PENG	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/881,295		PICKETT, CHARLES MICHAEL	
	Examiner		Art Unit	
	Peng Ke		2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-11 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-11 and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to the amendment filed 8/5/05.

Claims 7-11, and 16-21 are pending in this application. Claims 7 and 16 are independent claims. In the amendment claim 7 was amended, and claims 16-21 were added.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter is a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 9-11, 16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey et al. US Application Publication 2002/0055351 in view of Mittelstadt. US 6,389,280.

As per claim 7, Elsey teaches a graphical user interface, comprising: a primary application to perform a first task interface to allow a user input to specify a second task to be performed; (see Elsey, paragraph 0096; The calendar system is the primary application, and the email delivery system is the second application that performs the second task) an identifier identifying a secondary application for which the user interface is used, wherein the secondary application is to perform the second task; (see Elsey,

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paragraph 0096) a settings display, wherein the setting displayed are predetermined settings for the secondary application; (see Elsey, figure 19, items reminders) and

However, Elsey fails to teach a timeout timer operable to either close the graphical user interface upon expiration of the timer or to stop the timer upon a second user input.

Mittelstadt et al. teaches a timeout timer operable to either close the graphical user interface upon expiration of the timer or to stop the timer upon a second user input. (see Mittelstadt, column 35-48; figure 8);

It would have been obvious to an artisan at the time of the invention to include Mittelstadt et al.'s teaching with method of Elsey in order to provide user with a calendar system that will configure intelligently instead merely revert to the existing configuration.

As per claim 9, Elsey and Mittelstadt teach the graphical user interface of claim 7. Mittelstadt et al. further teaches the timer is hidden. (see Mittelstadt column 3, lines 10-55, figures 7, and 8)

As per claim 10, Elsey and Mittelstadt teach the graphical user interface of the claim 7. Mittelstadt et al. further teaches the system wherein the predetermined settings are the default settings for the application. (see Mittelstadt column 2, lines 65-column 3, lines 8)

As per claim 11, Elsey and Mittelstadt teach the graphical user interface of claim 7. Mittelstadt further teaches the system wherein the predetermined settings are the current settings for the application. (see Mittelstadt column 3, lines 18-column 4, lines 11)

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As per claim 16, Elsey teaches a method of providing a user interface, comprising:

receiving a user input from a primary application interface, the user input indicating a task to be performed by a secondary application, wherein the task is one of printing, faxing, emailing a file, and file operations; (see Elsey, paragraph 0096; The calendar system is the primary application, and the email delivery system is the second application that performs the second task)

displaying a proxy interface for the secondary application, such that settings for the secondary application are displayed without interfering with the primary application interface; (see Elsey, paragraph 0096)

However, Elsey fails to teach starting a timer when the proxy interface is displayed; and if the timer expires without user input, performing the task using the settings displayed.

Mittelstadt et al. teaches starting a timer when the proxy interface is displayed; and if the timer expires without user input, performing the task using the settings displayed. (see Mittelstadt, column 35-48; figure 8);

It would have been obvious to an artisan at the time of the invention to include Mittelstadt et al.'s teaching with method of Elsey in order to provide user with a calendar system that will configure intelligently instead merely revert to the existing configuration.

As per claim 18, Elsey and Mittelstadt teach the method of claim 16. Elsey further teaches the task further comprising one selected from the group comprised of printing, e-mailing a document, faxing, and performing file operations. (see Elsey, paragraph 0096)

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As per claim 19, Elsey and Mittelstadt teach the method of claim 16. Elsey further teaches the proxy interface further comprising a transparent overlay of the primary application interface. (see Elsey, column 3, lines 10-55, figures 7, and 8)

Claims 8, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey et al US Application Publication 2002/0055351 in view of Mittelstadt. US 6,389,280 further in view of McCoy et al., U.S. Patent No. 6,526,575

As per claim 8, Elsey and Mittelstadt teach the graphical user interface of claim 7.

However, they fail to teach the timer is visible on the graphical user interface.

McCoy teaches a graphical user interface wherein time is visible on the graphical user Interface (see McCoy, figure 14, "Starts In" timer)

It would have been obvious to an artisan at the time of the invention to include the graphical user interface of McCoy with the graphical user interface of Elsey and Mittelstadt in order to alert the user of the time remaining on the timer.

As per claim 20, Elsey and Mittelstadt teach the method of claim 16. However, Elsey and Mittelstadt fail to teach the proxy interface further comprising a bar.

McCoy teaches the proxy interface further comprising a bar. (see McCoy, figure 14, "Starts In" timer)

It would have been obvious to an artisan at the time of the invention to include the graphical user interface of McCoy with the graphical user interface of Elsey and Mittelstadt in order to alert the user of the time remaining on the timer.

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As per claim 21, Elsey and Mittelstadt teach the method of claim 16. However, Elsey and Mittelstadt fail to teach the proxy interface further comprising an interface located on the periphery of the primary application window.

McCoy teaches the proxy interface further comprising an interface located on the periphery of the primary application window (see McCoy, figure 14, "Starts In" timer). It would have been obvious to an artisan at the time of the invention to include the graphical user interface of McCoy with the graphical user interface of Elsey and Mittelstadt in order to alert the user of the time remaining on the timer.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey et al. US Application Publication 2002/0055351 in view of Mittelstadt. US 6,389,280 further in view of Plantec et al., U.S. Patent No. 6,826,540.

As per claim 17, Elsey and Mittelstadt teach the method of claim 16. However, Elsey and Mittelstadt fail to teach the method further comprising if user input is received prior to expiration of the timer, launching a user interface for the secondary application and stopping the timer.

Plantec teaches if user input is received prior to expiration of the timer, launching a user interface for the secondary application and stopping the timer. (see Plantec, column 28, lines 2555)

It would have been obvious to an artisan at the time of the invention to include the graphical user interface of McCoy with the graphical user interface of Elsey and Mittelstadt in order to notify the user that the event has been triggered.

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Response to Argument

Applicant's arguments with respect to claims 7-11, and 16-21 have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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